

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TYLAN TURNER,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:19-CV-00014-G
LIBERTY MUTUAL INSURANCE)	
COMPANY,)	
)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This court is required to examine the basis for its subject matter jurisdiction, on its own motion if necessary. *Torres v. Southern Peru Copper Corp.*, 113 F.3d 540, 542 (5th Cir. 1997). Diversity of citizenship is alleged as the basis for subject matter jurisdiction in this case. Defendant’s Notice of Removal (docket entry 1) ¶ 6. The plaintiff Tylan Turner is alleged to be “a resident of Dallas County, Texas[,]” Plaintiff’s Original Petition (docket entry 1-3) at 2, and therefore “a Texas citizen.” Defendant’s Notice of Removal ¶ 7. The defendant Liberty Mutual Insurance Company is alleged to be “organized under the laws of the State of Texas” and

alleged to have its “principal place of business in Boston, Massachusetts.” *Id.* ¶¶ 1, 8.

Diversity of citizenship jurisdiction requires that the citizenship of each plaintiff must be different from the citizenship of each defendant. *Strawbridge v. Curtiss*, 7 U.S. 267 (1806). The citizenship of a corporation is determined by the state of its incorporation and “where it has its principal place of business.” 28 U.S.C. § 1332(c)(1). This rule applies to the defendant Liberty Mutual Insurance Company.

From the allegations contained within the defendant’s notice of removal, the court cannot tell whether there is diversity of citizenship or not. Accordingly, within ten days of this date, the defendant shall file and serve an amended notice of removal that:

- (1) alleges *the state of incorporation* and the state where the principal place of business of the defendant Liberty Mutual Insurance Company is located.

Failure to timely file and serve such an amended complaint will result in dismissal of this case without further notice.

SO ORDERED.

January 30, 2019.



A. JOE FISH
Senior United States District Judge